

NOTICE TO CONTRACTORS
OFFICE OF THE STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

FAX NUMBER (863) 519-2661

801 N. Broadway Avenue
P. O. Box 1249
Bartow, Florida 33830
(863) 519-2279
August 27, 2013

Construction and Maintenance Programs
District Contracts

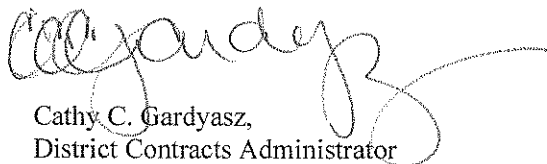
September 19, 2013 Letting

ADDENDUM NUMBER ONE

FINANCIAL PROJECT NO.: 432650-1-72-03
DISTRICT CONTRACT NO.: E1N12-R0
SARASOTA COUNTY

Contractor,

You are hereby notified that Contract E1N12-R0 has been identified as a Business Development Initiative (BDI) contract. You will need to download the **Amendment001** from the online ordering site.



Cathy C. Gardyas,
District Contracts Administrator

PROPOSAL REQUIREMENTS AND CONDITIONS.
(REV 3-21-13)

ARTICLE 2-1 (Page 10) is deleted and the following substituted:

2-1 Qualification of Bidders.

This project is reserved for bidding by "Small Businesses". Bidders must be a "Small Business" as defined by the Department. A listing of the small business size standards can be found at

<http://www.dot.state.fl.us/equalopportunityoffice/sizeStandards.shtm> . The Department reserves the right to make such inquiries as it deems necessary relative to bidders desiring to participate in this type of project. The bidder shall submit a notarized affidavit on a form provided by the Department prior to the receipt of bid documents attesting to meeting these requirements. This Initiative is being performed under the Department's Alternative Contracting authority provided by Section 337.025 Florida Statutes.

Pursuant to Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit the following:

- (a) A bid on a contract to provide any goods or services to a public entity.
- (b) A bid on a contract with a public entity for the construction or repair of a public building or public work.
- (c) Bids on leases of real property to a public entity.

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 F.S., for Category Two. All restrictions apply for a period of 36 months from the date of placement on the convicted vendor list.

The Department is provided broad authority to insure the integrity of its public contracting process pursuant to Chapter 337 F.S. Therefore, the conviction of a contractor or its affiliate for a contract crime with respect to a public contract; contract cancellations for cause by owners; debarment or suspension of a contractor or an affiliate; unsatisfactory contract performance by a contractor including default or assumption of a contract by a contract surety; or notices of non-payment filed by subcontractors and suppliers shall result in the Department denying the contractor the privilege to participate as a bidder in this Initiative.

ARTICLE 2-7 (Page 13) is deleted and the following substituted:

2-7 Guaranty to Accompany Proposals: On contracts over \$150,000, a Proposal Guaranty of \$500.00 must accompany each bid. This Guaranty shall be in the form of either a bid bond, certified check, cashier's check, trust company treasurer's check, bank draft of any national or state bank made payable to the Florida Department of Transportation. A check or draft in an amount less than \$500.00 will invalidate the bid.

AWARD OF CONTRACT.
(REV 3-27-13)

SUBARTICLE 3-2.1 (Page 16) is deleted and the following is substituted:

3-2.1 General: At the time of submission of its bid the bidder shall provide to the Department, on a form available from the Department, information and documentation demonstrating that it has competently performed, as a prime contractor or subcontractor, on 3 contracts/projects involving work similar to the subject contract/project during a 24 month period prior to the date of letting of the subject project. All bidders satisfying this criteria will be deemed a responsible bidder for the purposes of the subject letting. The information and documentation provided regarding each of the prior contracts/projects shall include, but is not limited to the following: the name and contact information for the Owner or prime contractor; the date, duration and location of the work; and the scope, type and cost of the work performed by the bidder. If the Department decides to award the Contract, the Department will award the Contract to the lowest responsible bidder whose proposal complies with all the Contract Document requirements. If awarded, the Department will award the Contract within 50 days after the opening of the proposals, unless the Special Provisions change this time limit or the bidder and the Department extend the time period by mutual consent. Prior to award of the Contract by the Department, a contractor must provide proof of authorization to do business in the State of Florida.

SUBARTICLE 3-2.2 (Page 16) is deleted.

ARTICLE 3-6 (Pages 17 - 18) is deleted and the following substituted:

3-6 Execution of Contract.

Within 10 calendar days, excluding Saturdays, Sundays and state holidays, after receipt of the Contract award, execute the necessary agreements to enter into a contract with the Department and return the agreement along with a satisfactory surety bond, if required, and documentation evidencing all insurance required by 7-13 to the Department's Contracts Office that awarded the Contract. For each calendar day that the successful bidder is late in delivering to the Department's Contracts Office all required documents in properly executed form, the Department will deduct one day from the allowable Contract Time as specified in 8-7.1. The Department will not be bound by any proposal until it executes the associated Contract. The Department will execute the Contract in the manner stipulated in 3-5.1. The Department will execute the Contract within 5 days, excluding Saturdays, Sundays and state holidays, after receipt of the necessary agreements from the Contractor.

ARTICLE 3-7 (Page 18) is deleted and the following substituted:

3-7 Failure by Contractor to Execute Contract.

In the event that the bidder fails to execute the awarded Contract within 10 calendar days, excluding Saturdays, Sundays and state holidays, of receipt of the Contract award, the Department may annul the award, causing the bidder to forfeit the proposal guaranty to the Department; not as a penalty but in liquidation of damages sustained. The Department may then award the Contract to the next lowest responsible bidder, re-advertise, or accomplish the work using day labor.

INSURANCE.
(REV 3-27-13)

SUBARTICLE 7-13.2 (Page 68) is deleted and the following is substituted:

7-13.2 Contractors' Public Liability and Property Damage Liability

Insurance: Furnish evidence to the Department that, with respect to the operations performed, regular Contractors' Public Liability Insurance providing for a limit of not less than \$100,000 for all damages arising out of bodily injuries to, or death of, one person and, subject to that limit for each person, a total limit of \$300,000 for all damages arising out of bodily injuries to, or death of, two or more persons in any one occurrence; and regular Contractors' Property Damage Liability Insurance providing for a limit of not less than \$50,000 for all damages arising out of injury to, or destruction of, property in any one occurrence and, subject to that limit per occurrence, a total (or aggregate) limit of \$100,000 for all damages arising out of injury to, or destruction of, property during the policy period is carried. Cause the Department to be an additional insured party on the Contractor's Public Liability and Property Damage Liability Insurance policies that insure the Contractor for the described work that it performs under the Contract.

SUBARTICLE 7-13.3 (Page 68) is deleted and the following is substituted:

7-13.3 Contractors' Protective Public Liability and Property Damage

Liability Insurance: Furnish evidence to the Department that, with respect to the operations performed by subcontractors, regular Contractors' Protective Public Liability Insurance providing for a limit of not less than \$100,000 for all damages arising out of bodily injuries to, or death of, one person and, subject to that limit for each person, a total limit of \$300,000 for all damages arising out of bodily injuries to, or death of, two or more persons in any one occurrence; and regular Contractors' Protective Property Damage Liability Insurance providing for a limit of not less than \$50,000 for all damages arising out of injury to, or destruction of, property in any one occurrence and, subject to that limit per occurrence, a total (or aggregate) limit of \$100,000 for all damages arising out of injury to, or destruction of, property during the policy period is carried. Cause the Department to be an additional insured party on the Contractor's Protective Public Liability and Property Damage Liability Insurance policies that insure the Contractor for the described work that it performs under the Contract.

PROSECUTION AND PROGRESS.
(REV 3-25-13)

ARTICLE 8-1 (Pages 79) is deleted and the following substituted:

8-1 Subletting or Assigning of Contracts.

Do not, sell, transfer, assign or otherwise dispose of the Contract or Contracts or any portion thereof, or of the right, title, or interest therein, without written consent of the Department. If the Contractor chooses to sublet any portion of the Contract, the Contractor must provide a written request to sublet work on the Certification of Sublet Work form developed by the Department for this purpose. With the Engineer's acceptance of the request, the Contractor may sublet a portion of the work, but shall perform with his own organization work amounting to not less than 40% of the total Contract amount. For contracts reserved for small businesses in accordance with the Department's Business Development Initiative Plan (March 2013), the sublet work must be contracted to a small business or businesses as defined by the Department. The subcontractor must also submit a notarized affidavit on a form provided by the Department prior to the start of work. The Certification of Sublet Work request will be deemed acceptable by the Department, for purposes of the Department's consent, unless the Engineer notifies the Contractor within 5 business days of receipt of the Certification of Sublet Work that the Department is not consenting to the requested subletting.

Include in the total Contract amount the cost of materials and manufactured component products, and their transportation to the project site. For the purpose of meeting this requirement the Department will not consider off-site commercial production of materials and manufactured component products that the Contractor purchases, or their transportation to the project, as subcontracted work.

If the Contractor sublets a part of a Contract item, the Department will use only the sublet proportional cost in determining the percentage of subcontracted normal work.

Execute all agreements to sublet work in writing and include all pertinent provisions and requirements of the Contract. Upon request, furnish the Department with a copy of the subcontract. The subletting of work does not relieve the Contractor or the surety of their respective liabilities under the Contract.

The Department recognizes a subcontractor only in the capacity of an employee or agent of the Contractor, and the Engineer may require the Contractor to remove the subcontractor as in the case of an employee.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**BUSINESS DEVELOPMENT INITIATIVE
AFFIDAVIT & PROFILE**

275-000-01
EQUAL OPPORTUNITY
OGC - 08/13
Page 1 of 2

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)

Submit completed form to FDOT Contracts Office that is advertising the project for bid

Business Name _____

Business Address _____
Street City State Zip

Mailing Address _____
Street City State Zip

Telephone _____ Fax _____ Other _____

E-mail _____ Date Business Established _____

FDOT Districts I am interested in performing work in: (Please check all that apply)

District 1	<input type="checkbox"/>
District 2	<input type="checkbox"/>
District 3	<input type="checkbox"/>
District 4	<input type="checkbox"/>
District 5	<input type="checkbox"/>
District 6	<input type="checkbox"/>
District 7	<input type="checkbox"/>
Turnpike	<input type="checkbox"/>
Central Office	<input type="checkbox"/>
Statewide	<input type="checkbox"/>

Federal Employer Identification Number _____

Legal Structure ☐ Corporation ☐ Limited Liability Company (LLC)
☐ Partnership ☐ Sole Proprietorship

List All Owners of the Business:

NAME	TITLE	PERCENT OWNED
		%
		%
		%
		%
		%
		%

Majority Owner's Gender _____ Majority Owner's Race _____

Note: Providing this information will not affect the award of a contract. The information will be used for statistical purposes only.

I, _____ am an owner or duly authorized representative of
_____ (Proposer/name of business), and I do hereby declare:

This business:

☐ Meets the criteria for a small business as defined by the Department

- The criteria for a small business can be found at
<http://www.dot.state.fl.us/equalopportunityoffice/sizeStandards.shtml>
- Gross revenues, three year average (include affiliate businesses) \$ _____

The Proposer must include any records it asserts to be exempt from public disclosure under Chapter 119, Florida Statutes, in a separate bound document labeled "**Attachment to Contract No. _____ - Confidential Material**". The Proposer must identify the specific exemption from the Public Records Law. Any claim of confidentiality of materials the Proposer asserts to be exempt from public disclosure and placed elsewhere in the proposal will be considered waived by the Proposer upon submission, effective upon opening.

The undersigned hereby authorize(s) and request(s) any person, firm or corporation to furnish any pertinent information requested by the State of Florida Department of Transportation deemed necessary to verify the statements made in this affidavit or regarding the ability, standing and general reputation of the Proposer. I declare, under penalty of perjury, that the information provided above and any supporting documents are true and accurate to the best of my knowledge.

Owner/Authorized Representative Signature

Date

Owner/Authorized Representative Printed Name & Title

Notary:

STATE OF _____

COUNTY OF _____

Before me, the above signed authority, personally appeared _____, who is personally known to me or has produced _____ (type of identification) identification and is duly sworn, deposes and says that he/she is authorized to represent _____ (business). Sworn and subscribed to before me this _____ day of _____, _____.

(Notary Signature)

My Commission Expires:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**BUSINESS DEVELOPMENT INITIATIVE
REFERENCE SHEET**

275-000-02
EQUAL OPPORTUNITY
10/10
Page 1 of 2

FLORIDA DEPARTMENT OF TRANSPORTATION
Equal Opportunity Office
605 Suwannee Street, MS 65
Tallahassee, Florida 32399
Phone: (850) 414-4747

Business Name: _____ **FEIN:** _____

Submit with Bid for Project/Contract No. _____

BIDDERS EXPERIENCE (in accordance with Specification 3-2.1)

BIDDER certifies that it has competently performed work as a prime contractor or subcontractor, for the owners and prime contractors set forth below, on 3 contracts/projects involving work similar to the above referenced project _____ during a 24 month period prior to the date of letting of this Project, in accordance with the information set forth below:

All references will be checked. A bid proposal will be considered non-responsive if the requested information is not provided with your bid submittal. A bidder will be considered non-responsive if the information provided does not satisfy the criteria of Specification 3-2.1.

List any and all projects worked on during the time period specified (attach additional sheets, if necessary):

Agency/Other entity that awarded the contract	Contact Name	Contact Phone No.
Project Number	Dollar Amount	Location of Work
Start Date	Completion Date	Type of Work Performed
Prime Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Prime Consultant <input type="checkbox"/> Subconsultant <input type="checkbox"/>
If Subcontractor/Subconsultant list Prime Contractor/Consultant _____		

Agency/Other entity that awarded the contract	Contact Name	Contact Phone No.
Project Number	Dollar Amount	Location of Work
Start Date	Completion Date	Type of Work Performed
Prime Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Prime Consultant <input type="checkbox"/> Subconsultant <input type="checkbox"/>
If Subcontractor/Subconsultant list Prime Contractor/Consultant _____		

Agency/Other entity that awarded the contract		Contact Name	Contact Phone No.
Project Number	Dollar Amount	Location of Work	
Start Date	Completion Date	Type of Work Performed	
Prime Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Prime Consultant <input type="checkbox"/>	Subconsultant <input type="checkbox"/>
If Subcontractor/Subconsultant list Prime Contractor/Consultant _____			

Agency/Other entity that awarded the contract		Contact Name	Contact Phone No.
Project Number	Dollar Amount	Location of Work	
Start Date	Completion Date	Type of Work Performed	
Prime Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Prime Consultant <input type="checkbox"/>	Subconsultant <input type="checkbox"/>
If Subcontractor/Subconsultant list Prime Contractor/Consultant _____			

Agency/Other entity that awarded the contract		Contact Name	Contact Phone No.
Project Number	Dollar Amount	Location of Work	
Start Date	Completion Date	Type of Work Performed	
Prime Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Prime Consultant <input type="checkbox"/>	Subconsultant <input type="checkbox"/>
If Subcontractor/Subconsultant list Prime Contractor/Consultant _____			

Agency/Other entity that awarded the contract		Contact Name	Contact Phone No.
Project Number	Dollar Amount	Location of Work	
Start Date	Completion Date	Type of Work Performed	
Prime Contractor <input type="checkbox"/>	Subcontractor <input type="checkbox"/>	Prime Consultant <input type="checkbox"/>	Subconsultant <input type="checkbox"/>
If Subcontractor/Subconsultant list Prime Contractor/Consultant _____			